

# EXPRESSING SYMPATHY OF THE HOUSE TO HON. B. E. QUINN

Mr. Nicholson offered the following resolution:

Whereas, Our honored fellow Member, Mr. B. E. Quinn of Beaumont, has encountered painful injuries as the result of an automobile accident; and

Whereas, Mr. Quinn is now recuperating in St. Theresa Hospital at Beaumont; and

Whereas, His many friends desire to take formal recognition of Mr. Quinn's misfortune; now, therefore, be it

Resolved, That the House of Representatives employ this medium in expressing to Mr. Quinn and to his family its sympathetic interest, and the hope that recovery will be prompt and without lasting injury of any kind; and, be it further

Resolved, That the Chief Clerk of the House of Representatives mail a copy of this resolution to Mr. Quinn, and have suitable flowers delivered to his room in St. Theresa Hospital.

NICHOLSON,  
McKEE,  
STINSON.

The resolution was read second time, and was unanimously adopted.

## ADJOURNMENT

On motion of Mr. Davison of Fisher, the House, at 12:40 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, June 7.

## APPENDIX

### STANDING COMMITTEE REPORT

The Committee on State Affairs filed a favorable report on Senate Bill No. 1.

### SIXTH DAY

(Monday, June 7, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker            Alexander  
Adkins                 Alsup

Amos	Kern
Baker	King
Bates	Langdon
Beckworth	Lankford
Bell	Leath
Blankenship	Leyendecker
Boethel	Little
Bond	Loggins
Boyer	London
Bradbury	Lucas
Bradford	Mauritz
Bridgers	Mays
Broadfoot	McConnell
Brown	McDonald
Burton	McFarland
Callan	McKee
Carssow	Metcalfe
Cathey	Moffett
Cauthorn	Monkhouse
Celaya	Morris
Cleveland	Morse
Colquitt	Newton
Davis of Jasper	Nicholson
Davison of Fisher	Palmer
Davison	Patterson
of Eastland	of Travis
Deglandon	Petsch
Dickison	Pope
England	Powell
Felty	Prescott
Fielden	Ragsdale
Fox	Reader
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Graves	Rhodes
Hamilton	Riddle
Hankamer	Roark
Hanna	Ross
Harbin	Russell
Hardin	Rutta
Harper	Schuenemann
Harrell	Sewell
Harris of Dallas	Settle
Harris of Dickens	Shell
Hartzog	Sharpe
Heflin	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Huddleston	of Matagorda
Hull	Stinson
Hyder	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Thornton
Jones of Atascosa	Vale
Jones of Falls	Waggoner
Jones of Wise	Walker
Keefe	Weldon
Kelt	Winfree
Kenyon	Wood

	<b>Absent</b>
Dean	Keith
Dollins	Smith of Tarrant
Howard	
	<b>Absent—Excused</b>
Cagle	McCracken
Davis of Haskell	McKinney
Derden	Oliver
Farmer	Patterson of Mills
Harris of Archer	Quinn
Knetsch	Stevenson
Lanning	Westbrook
Leonard	Worley
Mann	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Lanning for today, on motion of Mr. King.

Mr. McKinney for today and tomorrow, on motion of Mr. Alexander.

Mr. Harris of Archer for today, on motion of Mr. Tennyson.

Mr. Patterson of Mills, for today, on motion of Mr. Brown.

Mr. Westbrook and Mr. Oliver for today, on motion of Mr. Davis of Jasper.

Mr. Davis of Haskell for today, on motion of Mr. Ross.

Mr. McCracken for today, on motion of Mr. Winfree.

Mr. Worley for today, on motion of Mr. Thornberry.

Mr. Derden for today, on motion of Mr. Harris of Dickens.

Mr. Cagle for today, on motion of Mr. Harrell.

Mr. Knetsch for today, on motion of Mr. McKee.

Mr. Stevenson for today, on motion of Mr. Pope.

Mr. Leonard for today, on motion of Mr. Hamilton.

The following Members were granted leaves of absence on account of illness:

Mr. Farmer for today, on account of illness in his family, on motion of Mr. Amos.

Mr. Quinn for today, on motion of Mr. Kern.

Mr. Mann for today, on motion of Mr. Mays.

#### EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following acknowledgments of sympathy:

"The family of the late Judge Joseph Ryan acknowledges with grateful appreciation your kind expression of sympathy."

"The Regents and the Staff of The University of Texas acknowledge with heartfelt gratitude your kind expression of sympathy in the loss of President Benedict and your appreciation of his work."

#### TO GRANT R. F. DAVIS PERMISSION TO SUE THE STATE

Mr. Bridgers offered the following resolution:

H. C. R. No. 3, To Grant R. F. Davis permission to sue the State.

Whereas, R. F. Davis of El Paso County, Texas, claims to be the owner of the northerly and northeasterly portion of Surveys 125, 126, 127 and 128 of the San Elizario Grant in El Paso County, Texas, and the same conflicts with certain properties located in Block "L" of the University Lands of El Paso County, Texas; and

Whereas, Said R. F. Davis desires to bring suit against the State and against the University of Texas in trespass to try title and for the purpose of establishing the northeast boundary line of Surveys 125, 126, 127 and 128 of the San Elizario Grant of El Paso County, Texas, for the purpose of settling an existing conflict between the northeast boundary line of said San Elizario Grant and sections of University Lands located in El Paso County, Texas; and

Whereas, It is desirable in the interest of the said R. F. Davis, as well as in the interest of the University of Texas that the conflict said to exist in the title and in the surveys of said tracts of land to the end that the true ownership of said land, as affected by said conflicting lines and surveys, be determined and settled; now therefore, without admitting on the part of either or both the State or the University of Texas in any way the claim of the said R. F. Davis to said land, or any portion thereof, be it

Resolved by the House of Representatives, the Senate concurring, That the said R. F. Davis of El Paso County, Texas, be, and hereby is per-

mitted to file and prosecute his suit in trespass to try title, in any Court of competent jurisdiction in El Paso County, Texas; that he may secure service by citing the Attorney General on the part of the State, and the President of the Board of Regents of the University of Texas on the part of the University; that the procedure shall be governed by the existing rules and regulations as govern other civil cases of a like character; that either party may have the right of appeal upon the judgment of the trial Court; that neither the State nor the University of Texas shall be required to execute appeal bond; and, be it further

Resolved, That the Attorney General and the Board of Regents of the University of Texas and the said R. F. Davis, agreeing upon the boundary lines aforesaid, without suit, or agreeing to a compromise of said boundary lines without suit, may enter into such agreement, and the University of Texas is hereby authorized to execute to said R. F. Davis such title, deed, or acquittance as may be necessary to settle the title to said land in the event a settlement can be reached.

BRIDGERS,  
HANKAMER,  
JACKSON.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

#### TO PROVIDE FOR CERTAIN HIGHWAY MARKERS

Mr. Harrell offered the following resolution:

H. C. R. No. 5, To provide for certain highway markers.

Whereas, The rapid improvement of our system of State Highways and coincident improvement of motor transportation facilities has brought about a situation which constitutes a grave hazard to the safety of the citizens of this State; and

Whereas, It is a matter of common knowledge that deaths and injuries resulting from traffic accidents have increased so rapidly that governmental authorities have been at a loss as to what means to adopt to curtail the ever growing list of dead and disabled; and

Whereas, It is the sense of the Legislature that if the State Highway Department would cause to be erected

some sort of monument at each point along the State highways that has been the scene of such tragic death, it would serve as a grim reminder to motorists that fast and careless driving may mean death; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Highway Department be directed to erect at each point on the State Highways where a fatal accident occurs a white wooden cross with the number of dead in said accident painted in black across the white cross bar of said cross. That it may serve to remind those who drive by that here a person died because of another's disregard and carelessness; and, be it further

Resolved, That the cost of erecting these markers be taken from the State Highway fund.

HARRELL,  
SHARPE.

The resolution was read second time.

On motion of Mr. Harris of Dallas, the resolution was referred to the Committee on Highways and Motor Traffic.

#### TO AUTHORIZE THE BOARD OF CONTROL TO USE CONFED- ERATE HOME FOR STATE OFFICES

Mr. Cathey offered the following resolution:

H. C. R. No. 6, To authorize the Board of Control to use Confederate Home for State Offices.

Whereas, The State Board of Control has contracted for space in various buildings in the City of Austin, which are being used for different departments of the State amounting to enormous sums running from Fifty to Seventy-five Thousand Dollars per year of the tax payers' money; and

Whereas, In the beginning of the Regular Session of the Forty-fifth Legislature the Speaker of the House appointed a committee to investigate space at the Confederate Home; and

Whereas, Said committee did investigate the available space there, got a report from the engineer at the Confederate Home; and

Whereas, The engineer furnished the floor space that is empty and available; and

Whereas, This committee in making its report reported back to the House

that there was available space in good comfortable buildings sufficient to hold every department of the State; and

Whereas, Said Confederate Home is located right on the street car line—only a few blocks from the main part of town, and a comparatively short distance from the Capitol; and

Whereas, These buildings are good and up to date buildings, sanitary, equipped with water, lights and heat; and

Whereas, At a very small cost said buildings can be renovated, if they need be, and nothing to do but to move desks in and other office equipment and go to work; and

Whereas, The Ex-Confederate Soldiers are now very few in number and are fast passing away; and

Whereas, The Appropriation Committee appointed a sub-committee to investigate said building space available for office room and report back to the Appropriation Committee right-ful the same that is reported by the House Committee; and

Whereas, The State Treasury is very much in the Red and perhaps before the fiscal year ends will be \$30,000,000.00 in the red; and

Whereas, It is the duty of the House and Senate, as representatives of the people and the tax payers to look into the matter of this kind and direct officers in power; and

Whereas, The whole State and the people are thoroughly disgusted and are criticizing severely the extravagant practice of the departments of the State; therefore, be it

Resolved by the House, and Senate concurring, That the Board of Control be instructed to make arrangements to move the various offices to the Confederate Home and thereby save Fifty to Seventy-five Thousand Dollars of the people's tax money.

The resolution was read second time.

On motion of Mr. Metcalfe, the resolution was referred to the Committee on Appropriations.

#### MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, June 7, 1937.

To the Members of the Forty-fifth Legislature:

I congratulate this Legislature upon the passage of the bill repealing the

so-called pari-mutuel betting law and outlawing all forms of gaming at race tracks. In my opinion, this is a stronger bill than the one Texas had before passage of the Racing Commission Act of 1933. A great forward step has been taken.

At the beginning of this Session I told you that I was just as anxious as anyone to outlaw betting on dog races and secure a more effective bookie statute. I did not submit these subjects at that time because unquestionably they would have been used by opponents of repeal to try to load down the bill with so many amendments as to defeat repeal of race track betting. These subjects are now submitted to you.

#### Gaming on Dog Races

So far as I have been able to learn there have not been many efforts to carry on dog racing in this State. A few tracks have opened up here and there, however. Unquestionably this form of gaming is just as much to be condemned as the one outlawed last week by this Legislature. I recommend the passage of a bill outlawing and prohibiting betting or wagering of any kind on this character of racing.

#### Bookie Laws

It has been repeatedly stated that most of the wagering on horse races is through so-called bookie shops. This is probably true, and in various messages to the Legislature I have heretofore urged the passage of an effective bookie statute.

#### A.

One of the chief difficulties with reference to enforcement of our bookie statute has been that in order to secure a conviction the State was required to show not only that a bet was taken but that a race actually was run. Of course, this is almost impossible to do since bookmaking is a misdemeanor and witnesses cannot be brought from outside the county in misdemeanor cases. Certainly they cannot be brought from outside the State where the bookmaking is on a race run beyond the boundaries of Texas.

Any effective bookie statute passed by this Legislature should stipulate that in order to secure a conviction it shall not be necessary to show that a horse race was actually run.

## B.

If bookmaking shops are to be effectively outlawed, we must prohibit telegraph and telephone companies, or any agent or employee thereof, from transmitting information concerning bets or wagers, or odds offered or paid on any horse race or dog race.

One of the difficulties in prosecutions under such a statute is found in establishing knowledge on the part of the telegraph or telephone company, its officers, agents or employees, of the nature of the use made of such facilities. Some have suggested that the word "knowingly" be left out of the statute. I think probably the courts would read "knowingly" into any bill that might be passed by this Legislature; and I suggest that any bill on this subject contain a provision substantially to the effect that where it is shown by the State that information concerning bets or wagers, or odds offered or paid on any horse race or dog race, is transmitted by telegraph, teletype or telephone over any lines or facilities of such concern, it shall be prima facie evidence of knowledge on the part of such corporation, its officers, agents or employees, of the unlawful nature of such transaction. Provision should also be made affirmatively requiring such telegraph or telephone company to remove any of its lines or facilities from the office of place of business of any person making such unlawful use of such facilities.

In addition to criminal penalties, it should be provided that any person violating any provision of the gaming statutes passed by this Legislature may be proceeded against by injunction under Articles 4664, 4665, 4666 and 4667 of the Revised Civil Statutes of 1925.

## C.

In addition to outlawing book making in its ordinary terms, any bill passed by this Legislature should prohibit and outlaw the business of bookmaking. The bill should specifically authorize the State to prove any number of transactions and to elect upon any one of the number proved for conviction.

We now have upon our statute books laws denouncing and prohibiting general gaming, including slot and marble machines. The State is in a rather inconsistent attitude with

reference to marble machines in view of a claimed license by the State. In my opinion no such license exists but it is a smoke screen behind which operators of these marble machines and some local officers hide. I suggest that any doubt on this matter be removed by the Legislature.

The most effective method of dealing with slot and marble machines is confiscation. These machines are subject to confiscation, but are required to be turned over to local sheriffs by the seizing officers. It sometimes happens that after these machines have been seized by the State officers in a few counties in this State and turned over to the sheriff, they are returned to the operators. Some effective method of dealing with the matter of requiring the performance of duty by local officers should be devised by this Legislature.

Among other things I recommend that authority be given for the filing of injunction suits against gambling houses and condemnation suits for gambling paraphernalia in the district court of Travis County where it is alleged by the Attorney General that the local officers in any given county have failed or refused to discharge their duties.

## Jacks and Stallions

I also submit to the Legislature the subject of the disposition of jacks and stallions belonging to the State. It occurs to me that these animals can be disposed of by arrangements with commissioners' courts in various counties over the State. If they have been worth being kept by the State, then they are certainly worth as much to the county. I see no reason why these animals cannot be disposed of by the end of the present fiscal year. Certainly there is no occasion to appropriate money to maintain or look after them over another two year period, as was provided in one of the amendments offered to Senate Bill No. 1.

## In General

I suggest that the committees of the two Houses ask the State's Attorney for the Court of Criminal Appeals to come before them and assist in preparation of a bill, or bills, to accomplish these objectives. I understand a number of bills on these subjects are being offered, and since it is quite probable the writing of such bills will go to a sub-committee they should

avail themselves of the services of the State's Attorney.

Caution should be observed that any bill dealing with bookies, or other forms of gambling, shall not in anywise modify or repeal the law already passed prohibiting gambling on horse races.

It occurs to me that these ends can probably best be achieved by the passage of separate bills dealing with these subjects, rather than attempt to consolidate all in one bill.

Respectfully submitted,  
JAMES V. ALLRED,  
Governor of Texas.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Hardin offered the following resolution:

H. C. R. No. 7, To provide for adjournment sine die.

Whereas, The First Called Session of the Forty-fifth Legislature was called by the Governor for the purpose of repealing pari-mutuel betting on horse racing; and

Whereas, This bill has now been passed by both Houses, and any other subjects submitted by the Governor can be quickly disposed of; now, therefore, be it

Resolved by the House, the Senate concurring, That the First Called Session of the Forty-fifth Legislature stand adjourned sine die on Friday, June 11, 1937 at 12:00 o'clock noon.

The resolution was read second time.

Mr. Petsch moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—95

Adkins	Brown
Alexander	Burton
Alsup	Callan
Amos	Carsow
Baker	Cauthorn
Bates	Cleveland
Bell	Colquitt
Boethel	Davis of Jasper
Boyer	Davison of Fisher
Bradbury	Davisson
Bradford	of Eastland
Bridgers	Deglandon
Broadfoot	Dickison

England	Mays
Felty	McConnell
Fielden	McFarland
Fox	McKee
Fuchs	Metcalfe
Gibson	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Palmer
Harper	Patterson
Harrell	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Heflin	Powell
Holland	Prescott
Hoskins	Ragsdale
Hull	Reader
Hyder	Rhodes
Jackson	Roark
James	Ross
Johnson of Ellis	Russell
Johnson	Rutta
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Sharpe
Jones of Falls	Simpson
Jones of Wise	Skaggs
King	Smith of Hopkins
Langdon	Stocks
Leath	Tennant
Leyendecker	Tennyson
Little	Thornberry
Loggins	Walker
London	Weldon
Lucas	Winfree
Mauritz	Wood

#### Nays—22

Beckworth	Nicholson
Blankenship	Reed of Bowie
Celaya	Reed of Dallas
Harbin	Shell
Hardin	Smith
Harris of Dallas	of Matagorda
Herzik	Stinson
Huddleston	Tarwater
Kelt	Thornton
Kenyon	Vale
Kern	Waggoner
Moffett	

#### Absent

Bond	Lankford
Cathey	McDonald
Dean	Newton
Dollins	Riddle
Graves	Schuenemann
Howard	Smith of Tarrant
Keefe	Talbert
Keith	

#### Absent—Excused

Cagle	Farmer
Davis of Haskell	Harris of Archer
Derden	Knetsch

Lanning	Patterson of Mills
Leonard	Quinn
Mann	Stevenson
McCracken	Westbrook
McKinney	Worley
Oliver	

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Reed of Bowie:

H. B. No. 8, A bill to be entitled "An Act prohibiting the buying and selling of pools or bookmaking; providing the form of indictment or information sufficient to charge the offense; prohibiting the use of certain property for selling pools or bookmaking; declaring it unlawful to go into or remain in a place operated in violation of this Act; prohibiting the furnishing of means of communication to persons using property for pool selling or bookmaking in violation of the provisions of this Act; declaring it unlawful to buy pools or wager on horse races; declaring certain acts prima facie violations of the provisions of this law; providing penalties for the violation of the provisions of this Act; repealing Articles 647, 648, 649, 650, 651 and 652, Penal Code of Texas, 1925; providing, however, that the passage of this Act shall not affect any indictment or information now pending for violating any of the Articles hereby repealed; providing conviction may be had under the terms of this Act on the uncorroborated testimony of accomplices, such person to be exempt from prosecution for any offense about which he testified; declaring the terms of this Act to be severable, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hardin, Mr. Petsch and Mr. Amos:

H. B. No. 9, A bill to be entitled "An Act defining the offense of bookmaking and the occupation of bookmaking; making unlawful the use of real property for purpose of bookmaking; prescribing punishment therefor; prescribing the manner of proof; prohibiting the furnishing of means of communication to persons using property for pool selling or

bookmaking in violation of the provisions of this Act; excepting such persons from damages for refusal to furnish such services; and prescribing punishment; declaring it unlawful to buy pools or wager on horse races, and prescribing punishment; declaring certain acts prima facie violations of the provisions of this law; repealing Articles 647, 648, 649, 650, 651 and 652, Penal Code of Texas, 1925; providing, however, that the passage of this Act shall not affect any indictment or information now pending for violation of any of the Articles hereby repealed; providing conviction may be had under the terms of this Act on the uncorroborated testimony of accomplices, such person to be exempt from prosecution for any offense about which he testified; declaring the terms of this Act to be severable, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Russell, Mr. Langdon, Mr. Ross, Mr. Mays, Mr. Worley, Mr. Lankford, Mr. Sharpe, Mr. McConnell, Mr. Bradbury, Mr. Hamilton, Mr. Bond, Mr. Fielden, Mr. Ragsdale, Mr. Jones of Angelina, Mr. Settle, Mr. Derden, Mr. Patterson of Travis, Mr. King, Mr. Roark, Mr. Harris of Dickens, Mr. Herzik, Mr. Tennyson, Mr. Kern, Mr. Beckworth, Mr. Harrell, Mr. Hyder, Mr. Simpson, Mr. Kelt, Mr. Shell, Mr. Alsup, Mr. Walker, Mr. Wood, Mr. Stinson, Mr. Smith of Hopkins, Mr. Tarwater, Mr. Leyendecker, Mr. Lanning, Mr. Jackson, Mr. England, Mr. Pope, Mr. Kenyon, Mr. Rhodes, Mr. Davis of Jasper, Mr. Nicholson, Mr. Cagle, Mr. Cauthorn, Mr. Deglandon, Mr. Palmer, Mr. Huddleston, Mr. McKinney, Mr. Blankenship, Mr. Mauritz, Mr. Prescott, Mr. Knetsch and Mr. Amos:

H. B. No. 10, A bill to be entitled "An Act amending Title 11, Chapter 6, Articles 647, 648, 649, 650 and 651 of the Penal Code of the State of Texas, Revision of 1925 so as to prohibit the buying and selling of pools or bookmaking on any horse race, making certain acts prima facie evidence of a violation thereof, prohibiting the use of any property for selling pools or bookmaking on horse races and providing what constitutes a prima facie evidence of a violation thereof, etc.; providing penalties for the violation of the several sections

of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Harrell, Mr. Petsch, Mr. Thornberry, Mr. Amos, Mr. Heflin and Mr. Graves:

H. B. No. 11, A bill to be entitled "An Act to amend Articles 624 and 625 of the Penal Code of the State of Texas of 1925, so as to include within the terms and meaning of said Articles any race, speed, skill or endurance of, by, or between dogs; and adding a new Article numbered 625a; prescribing form of indictment and character of proof, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. McKee and Mr. Johnson of Ellis:

H. B. No. 12, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; providing for the disposition of all defective or unfit animals by the Board of Control; providing for apportionment of all funds now on hand and to the credit of the Special Racing Fund which have accumulated since January 1, 1937; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. James, Mr. Carssow, Mr. Patterson of Travis and Mr. Beckworth:

H. B. No. 13, A bill to be entitled "An Act prohibiting the buying and selling of pools or bookmaking; providing the forms of indictment or information sufficient to charge the offense; prohibiting the use of certain property for selling pools or bookmaking; etc., and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Jones of Atascosa:

H. B. No. 14, A bill to be entitled "An Act amending Article 654, Chapter 6, of the Penal Code of the State of Texas; defining a lottery, imposing penalties therefor, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Sharpe, Mr. Ross, Mr. Broadfoot, Mr. Rhodes, Mr. Kelt, Mr. Pope, Mr. Reed of Bowie, Mr. Lankford, Mr. Ragsdale, Mr. Bradbury and Mr. Russell:

H. B. No. 15, A bill to be entitled "An Act declaring it unlawful to buy pools or otherwise wager any money or anything of value or to offer to buy pools or otherwise wager anything of value upon any dog race or upon result of any race, speed, skill or endurance contest in this State or elsewhere, of, by or between dogs; providing a penalty; declaring it unlawful to keep any money or be in any manner interested in keeping the premises, place, room, building, track, park, land, field, lot or any other place for the purpose of being used as a place to buy pools or otherwise wager or bet anything of value upon any race or speed, skill or endurance contest of, by or between dogs, and declaring it unlawful to keep or maintain or be interested in keeping any such place where people resort for such purpose; declaring what allegations shall be sufficient in an indictment to allege the offense defined in Section 2 and prescribing what evidence shall be sufficient to prove the offense charged in Section 2; providing a penalty, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

#### MOTION TO RE-REFER CERTAIN BILLS

Mr. Skaggs moved that all bills read first time on today and referred to the Committee on Criminal Jurisprudence, be withdrawn from the Committee on Criminal Jurisprudence and re-referred to the Committee on State Affairs.

Mr. Gibson moved to table the motion by Mr. Skaggs.

The motion to table prevailed.



## ADJOURNMENT

Mr. McConnell moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Russell moved that the House adjourn until 10:00 o'clock a. m., next Wednesday.

The motion of Mr. McConnell prevailed, and the House, accordingly, at 10:55 o'clock a. m., adjourned until 10:00 o'clock a. m., tomorrow.

## SEVENTH DAY

(Tuesday, June 8, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hankamer
Adkins	Hanna
Alexander	Harbin
Alsup	Hardin
Amos	Harper
Baker	Harrell
Bates	Harris of Archer
Beckworth	Harris of Dallas
Bell	Harris of Dickens
Blankenship	Hartzog
Boethel	Heflin
Bond	Holland
Boyer	Hoskins
Bradbury	Huddleston
Bridgers	Hull
Broadfoot	Hyder
Brown	Jackson
Burton	James
Cagle	Johnson of Ellis
Callan	Johnson
Carssow	of Tarrant
Cathey	Jones of Angelina
Caithorn	Jones of Atascosa
Celaya	Jones of Falls
Cleveland	Jones of Wise
Colquitt	Keefe
Davis of Jasper	Keith
Davison of Fisher	Kelt
Davisson	Kenyon
of Eastland	Kern
Deglandon	King
Derden	Knetsch
Dickison	Langdon
England	Lankford
Felty	Lanning
Fielden	Leath
Fox	Leyendecker
Fuchs	Little
Gibson	Loggins
Hamilton	London

Lucas	Ross
Mann	Russell
Mauritz	Schuenemann
Mays	Sewell
McConnell	Settle
McDonald	Sharpe
McFarland	Shell
Metcalfe	Simpson
Moffett	Skaggs
Monkhouse	Smith of Hopkins
Morris	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Nicholson	Stevenson
Oliver	Stinson
Palmer	Stocks
Patterson of Mills	Talbert
Patterson	Tarwater
of Travis	Tennant
Petsch	Tennyson
Pope	Thornberry
Powell	Thornton
Prescott	Vale
Ragsdale	Waggoner
Reader	Walker
Reed of Bowie	Westbrook
Reed of Dallas	Weldon
Rhodes	Winfree
Riddle	Wood
Roark	

## Absent

Dollins	Howard
Graves	

## Absent—Excused

Bradford	McCracken
Davis of Haskell	McKee
Dean	McKinney
Farmer	Quinn
Herzik	Rutta
Leonard	Worley

A quorum was announced present.  
Prayer was offered by Rev. George W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McKee for today, on motion of Mr. Knetsch.

Mr. McKinney for today, on motion of Mr. Alexander.

Mr. Bradford for today and balance of the week, on motion of Mr. Harrell.

Mr. Herzik for today, on motion of Mr. Jones of Atascosa.

Mr. Davis of Haskell for today, on motion of Mr. Ross.

Mr. Dean for today and the balance of the week, on motion of Mr. Celaya.